

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Fereshte Faustini,

NO. C 04-04548 JW

Plaintiff,

**ORDER SCHEDULING SETTLEMENT
CONFERENCE AND PRELIMINARY
PRETRIAL CONFERENCE**

v.

Microsoft Corporation,

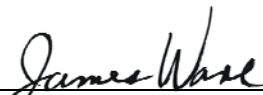
Defendant.

On September 26, 2006, the Court received a letter from Defendant's counsel informing the Court that the parties have compromised and reached agreement with respect to the issues discussed with the Court at the June 2006 settlement conference. However, there is now a new issue that the parties have not been able to resolve. Defendant seeks the Court's assistance in resolving this final issue.

The parties currently have a Preliminary Pretrial Conference scheduled on October 16, 2006 at 11 a.m. The Court vacates this conference and sets a further settlement conference on Tuesday, **October 31, 2006 at 10 a.m. - 12 noon.** The Court also sets a Preliminary Pretrial Conference on the same day; the parties shall be prepared to set trial in the event the case does not settle.

Accordingly, all parties with full settlement authority shall appear in the Courtroom of Judge James Ware, Courtroom 8, Fourth Floor, 280 South First Street, San Jose, California on **Tuesday, October 31, 2006 at 10 a.m.** for further settlement discussion or trial setting. Plaintiff's counsel is directed to bring Plaintiff to the conference.

Dated: October 5, 2006


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Kathleen O. Peterson kathleen@prestongates.com
3 Melissa Ellen Lamfalusi MelissaL@prestongates.com
4 Robert M. Lubin r1817@aol.com

5 **Dated: October 5, 2006**

Richard W. Wieking, Clerk

6 **By: /s/ JW Chambers**

7 **Elizabeth Garcia**
8 **Courtroom Deputy**
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